

Exhibit 21

Francesco Gallo

12/19/2007

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANCESCO GALLO,

Plaintiff,

-against-

07 CV 06418
(CM) (HP)

ALITALIA-LINEE AEREE ITALANE
SOCIETA PER AZIONI, PIERANDREA
GALLI, and GIULIO LIBUTTI,

Defendants.

-----x

DEPOSITION OF FRANCESCO GALLO

Thursday, December 20, 2007

New York, New York

REPORTED BY:

Holly Hough

Francesco Gallo

12/19/2007

1	Gallo	110	1	Gallo	112
2		hospitalization in early 2002 after 9/11; do you	2		to you?
3		recall whether you told Dr. Caronna about that?	3	A.	Yeah, but he has been saying also before.
4	A.	I didn't have to tell, he was with me when	4	Q.	All right. And at this point Alitalia had
5		I was hospitalized.	5		already told you that they didn't need your services
6	Q.	In 2002 he was with you?	6		any longer; is that correct, May 25, 2006?
7	A.	Yeah.	7	A.	Yes, at that time it was official, but
8	Q.	He doesn't put that in the medical	8		this is, it's something that did not start at
9		history.	9		May 16th, it start five, six years before.
10	A.	Bad guy.	10	Q.	What started five, six years before?
11	Q.	You're sure he was with you in 2002?	11	A.	What I define a scheme, a horrible, a
12	A.	He was my neurologist.	12		horrible way to fire someone, not even having the
13	Q.	Are you sure he was your neurologist in	13		guts to say we don't need you anymore now, instead
14		2002?	14		to find that...
15	A.	Yes.	15	Q.	Are you saying that this process of what
16	Q.	The records we have don't begin until	16		I'll call getting rid of you started five or six
17		2005, maybe 2004. All right, but he was?	17		years before; is that what you're saying?
18	A.	Yeah.	18	A.	Oh, yes.
19	Q.	So he certainly knew about that. Under	19	Q.	Yes?
20		"Plan," which you started to read, do you want to	20	A.	Oh, yes.
21		read that now, please.	21	Q.	Did you tell this to Dr. Caronna?
22		The first question I have for you is, did	22	A.	What Dr. Caronna has to do with --
23		you seek a second opinion at the Movement Disorders	23	Q.	I'm just asking, did you.
24		Unit at New York Presbyterian Hospital?	24	A.	No, probably, I don't know. I don't know
25	A.	I didn't even know it.	25		if I told Dr. Caronna. Probably.
1	Gallo	111	1	Gallo	113
2	Q.	He states, "I have offered him a second	2	MR. SMITH:	If you don't know, say you
3		opinion with the Movement Disorders Unit at New York	3		don't know, that's it, if you don't remember.
4		Presbyterian Hospital."	4	A.	Yeah, you know, he posed the question
5	A.	I remember that he was mentioning that I	5		which brings you --
6		had to do something. And he tried to make a phone	6	MR. SMITH:	Brings you back, right.
7		call. Then, once I had been at Columbia with the	7	Q.	And five or six years before means in 2000
8		specialist that saw me, I don't know if it's that	8		and 2001, that would be five or six?
9		one.	9	A.	Even before that.
10	Q.	Did you ever get a second opinion that	10	Q.	Even before that?
11		you're aware of, somebody else who told you, yes,	11	A.	Yeah.
12		what you have is corticobasal degeneration?	12	Q.	Did you tell any psychiatrist whom you saw
13	A.	I don't know.	13		at any point that there was a horrible scheme to get
14	Q.	Okay.	14		rid of you that began even before the year 2000?
15	A.	It's so many, I mean, they talk among	15	A.	I believe so because that was the hardest
16		themselves, I think.	16		and horrible, I believe that was the first time that
17	Q.	All right. The sentence before that, the	17		I end up to psychiatrist, Dr. Colombo probably, I
18		first full sentence on the last page.	18		think so, yes, Dr. Colombo, yeah.
19	A.	"I have told Mr. Gallo?"	19	Q.	Dr. Colombo?
20	Q.	"I have recommended," we're on the last	20	A.	Yeah, Dr. Colombo, I believe. I don't
21		page.	21		know. I don't remember.
22	A.	Yes.	22	Q.	But you think if you told anybody, you
23	Q.	"I recommended that he seek medical leave	23		told Daria Colombo?
24		and retire from his job."	24	A.	Yes, yes, yes, because at that time, yes,
25		Now do you remember the doctor saying that	25		yes.

29 (Pages 110 to 113)

Francesco Gallo

12/19/2007

1	Gallo	114	1	Gallo	116
2	Q. Did you tell Dr. --		2	complaint of some low-back pain and multiple falls	
3	A. Dr. Colombo, and also this doctor that I		3	related to his condition." Is that correct?	
4	don't like.		4	A. Yes.	
5	Q. Dr. Faedda?		5	Q. Do you still experience multiple falls?	
6	A. Yes.		6	A. Yes, but now I acquired the technique that	
7	Q. You are aware that --		7	I could control it because you feel it. It's	
8	A. Finished with this?		8	something, it's like a bell because the inside of	
9	Q. I think so, yes. You are aware that		9	your body has some kind of tremors. So you know	
10	Dr. Caronna filled out a form for UNUM?		10	almost that it's coming. So when you walk, you walk	
11	A. Yes.		11	always close to a wall, you know that if you have to	
12	Q. Saying that you were totally disabled and		12	fall down, try to go with your behind down, and all	
13	unable to work as of May 26th?		13	these things.	
14	A. Yes.		14	Q. But you hadn't learned these techniques as	
15	Q. Of 2006?		15	of April 12, 2007; is that right?	
16	A. Yes.		16	A. Well, but this was always, you know, under	
17	Q. And that was true?		17	the advice of the doctors to behave in a certain	
18	A. Yes, I spoke to Alitalia about it.		18	ways.	
19	MR. KORAL: The next document is going to		19	Q. The doctors weren't advising you to fall,	
20	be marked Defendants' Exhibit 6. It is a		20	were they?	
21	letter from Dr. Caronna to Dr. Stefan Stein,		21	A. No, no, but, but if that was the case, how	
22	dated April 14, 2007.		22	should I, if I could, how should I to fall.	
23	A. Now I understand why they charge so much.		23	Q. I understand.	
24	I just discovered that they do more work behind your		24	A. And it worked.	
25	back. Sorry.		25	Q. Have you continued to have frequent falls	

1	Gallo	115	1	Gallo	117
2	(Defendants' Exhibit 6, letter, April 14,		2	since April of 2007?	
3	2007, to Dr. Stein, marked for identification,		3	A. Sometime, but not as much as frequent,	
4	as of this date.)		4	probably because I'm more aware.	
5	Q. You have never seen this document before,		5	Q. When did you start falling?	
6	have you, Mr. Gallo?		6	A. Beginning of last year.	
7	A. No, sir.		7	Q. Beginning of last year means the beginning	
8	Q. Look at the section called "Review of		8	of 2006?	
9	Systems," on the first page it states that		9	A. No, beginning of, I'm sorry, 2007.	
10	"Mr. Gallo was frequently tearful and asked what the		10	Q. In early this year you began?	
11	point of his living was, although he said that he		11	A. Yes.	
12	loves his children and he denied that he was		12	Q. And you weren't falling during 2006?	
13	actively suicidal at this time.		13	A. No. I think once.	
14	Were you frequently tearful in the		14	Q. All right. When did Dr. Caronna start	
15	presence of Dr. Caronna; is this accurate?		15	recommending that you use a wheelchair?	
16	A. Yeah, well, sometime, I don't know.		16	A. I believe in 2007. Well, I started before	
17	Q. Well, did you weep on visits with		17	with a cane, he want me to, you know, use a cane.	
18	Dr. Caronna, maybe not every visit but some visits?		18	Q. A cane, okay.	
19	A. Probably sometime, yes.		19	A. Yes.	
20	Q. Did you deny that you were actively		20	Q. In 2007 or earlier?	
21	suicidal, at least as of April 2007?		21	A. End of 2006.	
22	A. Possibly.		22	Q. 2006?	
23	Q. Let's take a look at the second paragraph		23	A. Yeah.	
24	of this document. It states that "He came," that's		24	Q. He states that since he last saw you,	
25	you came, "to Dr. Caronna on April 12th with a chief		25	"Francesco believe he is getting worse."	

30 (Pages 114 to 117)

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